

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: MVP-2007-0590-TMV

PROJECT MANAGER: Todd Vesperman

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐ Date: 02/27/2007
At the project site? Y ☐ N ☐ Date:

PROJECT LOCATION INFORMATION:

State: Minnesota

County: Swift

Center coordinates of site by latitude & longitude: 45.38048656868/-95.82273895252

Approximate size of site/property (including uplands) in acres: 160

Name of waterway or watershed: Chippewa Watershed

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		2.3 ac							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved: ☒

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ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The applicant has indicated that the 2.3-acre wetland being reviewed is a prior converted wetland. A review a recent aerial photography indicates that the wetland has not been effectively drained and is too wet to be farmed. The wetland occurs in the center of a 160-acre agricultural field. The wetland is surrounded by non-wetland (upland) areas and has no definable inlets, outlets, or continuous surface connections with other waters of the United States. The subject wetland occurs entirely within Swift County, Minnesota, has not been used for recreation, and has no reasonable connection to interstate commerce. The following information was used in making the no jurisdiction determination; USGS topographic maps, 2003 FSA aerial photographs, 1973 Swift County Soil Survey, and the National Wetland Inventory.**